

Red Cliff Band of Lake Superior Chippewa Indians

REGULAR COUNCIL MEETING

November 4, 2013

4:30 p.m. at Legendary Waters Resort and Casino, Grand Ballroom

Meeting called to order by Chairperson Rose Soulier at 4:30 p.m.

ROLL CALL

Rose Soulier, Present

Nathan Gordon, Absent, (out of town)

Laura J. Gordon, Present

Dennis Soulier, Present

Jeanne Gordon, Present

Marvin Defoe, Present

Bryan Bainbridge, Present

Mike Gurnoe, Present

Steven Boyd, Present

Quorum

In attendance: Dave Ujke, Tribal Attorney, Rob Goslin, Division Administrator Manager, Wade Williams, Assistant Attorney, Division Administrators and Community members.

OPENING CEREMONY

Opening Ceremony was performed by Leo LaFernier Sr.

AGENDA

Dennis Soulier moved to approve the agenda with additions to "Other"

1. Committee appointments
2. Funeral Donation Policy Amendments
3. Ratify Council Poll for Funeral Donation for Gale Pratt
4. Ratify Council Poll pertaining to Senior Accountant and CFO/LTE

Seconded by Mike Gurnoe. Motion carried.

MINUTES

Marvin Defoe moved to approve September 9, 2013 meeting minutes with corrections.

Seconded by Bryan Bainbridge. Motion carried.

Dennis Soulier moved to approve September 17, 2013 meeting minutes with corrections.

Seconded by Jeanne Gordon. Motion carried.

Jeanne Gordon moved to approve September 25, 2013 meeting minutes with corrections.

Seconded by Laura J. Gordon. Motion carried

Dennis Soulier moved to approve October 7, 2013 meeting minutes with corrections. Seconded by Steven Boyd. Motion carried.

Bryan Bainbridge moved to approve October 9, 2013 meeting minutes with corrections. Seconded by Mike Gurnoe. Motion carried.

COMMUNITY COMMENTS/ANNOUNCEMENTS

Veteran's celebration to be held on November 9th at Legendary Waters Resort and Casino.

The Elderly Hunt will be held on November 21st.

A thank you letter was read from Gale Pratt family

TREASURERS MONTHLY REPORT

Mike Gurnoe moved to approve the August 2013 report. Seconded by Marvin Defoe. Motion carried.

Marvin Defoe moved to approve the September 2013 report. Seconded by Bryan Bainbridge. Motion carried.

Laura J. Gordon moved to approve the General fund budgets. Seconded by Mike Gurnoe. Motion carried.

Marvin Defoe moved to give the Treasurer authorization to administer General fund budgets. Seconded by Jeanne Gordon. Motion carried.

OLD BUSINESS

NEW BUSINESS

APPROVAL OF COUNTY TRIBAL AND STATE TRIBAL AGREEMENT

Dennis Soulier moved to approve Resolution **11/4/13A** County Tribal and Tribal State Agreements. Seconded by Laura J. Gordon. Motion carried.

APPROVAL OF MSA PROFESSIONAL SERVICES CONTRACT

Ed Sindelar presented outcome of negotiations w MSA. 12% for design services, 8% for construction services. Rose Soulier asked that a stipulation could be included in contract to hire Native Americans. It was explained by MSA that this would only be included in the construction contract. MSA has own engineers for other services.

Dennis Soulier stated required documents were missing in the paperwork. Bids need to be attached to the requisitions. Any change needs to come before council unless waived in a "motion".

Mike Gurnoe moved to waive the policy that requires Executive Council approval and approve the contract pending corrections and procurement approval. Seconded by Jeanne Gordon. Discussion: Corrections are to be made and Ed is to work with procurement to ensure the correct process is followed. Motion carried.

APPROVAL OF CHANGE ORDER WITH THEIR WELLS ON THE NEW WELL INSTALLATION

Change is due to the contractor needing to drill deeper than expected. Dennis Soulier stated that policies not being followed in these change orders. Jeanne Gordon asked if this already paid. This should not be paid without Council authorization. Ed Sindelar will check with the Accounting department regarding this. Rose Soulier asked that Ed meet with procurement to ensure process is being followed. Marvin Defoe was concerned that this could be audit finding.

Mike Gurnoe moved to approve the change order. Seconded by Bryan Bainbridge. (3 contrary: Jeanne Gordon, Dennis Soulier and Marvin Defoe) Motion carried.

APPROVAL OF CHANGE ORDER #2 & 3 TO C&W CONTRACT ON NORTH BRADUM PHASE 1

Change order #2 is a change to the contract language referring to the substantial and final completion dates. Change order #3 is to remove unsuitable material on the project.

Dennis Soulier moved to approve change order #2 as presented. Seconded by Marvin Defoe. Motion carried.

Jeanne Gordon moved to approve change order #3 as presented. Seconded by Bryan Bainbridge. Discussion: Ed Sindelar is to bring all required documents along with formal request to the Tribal Council Secretary. (2 contrary: Dennis Soulier and Marvin Defoe) Motion carried.

APPROVAL OF AODA CONTRACT WITH BAYFIELD COUNTY

Steven Boyd moved to approve the contract. Seconded by Dennis Soulier. Motion carried.

APPROVAL OF CHAPTER 4 TRIBAL COURT FOR POSTING

Jeanne Gordon moved to approve. Seconded by Mike Gurnoe. Motion carried.

APPROVAL OF CHAPTER 35 DEBT COLLECTION CODE FOR POSTING

Nathan Gordon moved to approve. Seconded by Jeanne Gordon. Motion carried

RESIGNATIONS

Bryan Bainbridge moved to accept the resignation of Shelly Gordon from the Library Board. Seconded by Laura J. Gordon. Motion carried.

Dennis Soulier moved to accept the resignation of Sandra LaGrew from the Library Board. Seconded by Laura J. Gordon. Motion carried.

It was approved by consensus to repost for two members for the Library Board.

COUNCIL POLL

Marvin Defoe moved to ratify the Council poll. Seconded by Jeanne Gordon. Motion carried.

APPROVAL OF FOREBEARANCE ON CASINO LOAN AGREEMENT/RESOLUTION

Jeanne Gordon moved to approve Resolution 11/4/13B. Seconded by Steven Boyd. Motion carried.

OTHER

A secret ballot was done for the Fishing Committee:

Dennis Soulier moved to appoint Richard Gurnoe Jr., Martin Peterson and Joe Duffy to the Fishing Committee with Dirk Wachsmuth as the first alternate and Ashley Peterson as the second alternate. Seconded by Steven Boyd. Motion carried.

Laura J. Gordon moved to destroy the ballots. Seconded by Bryan Bainbridge. Motion carried.

Jeanne Gordon moved to waive the Red Cliff Tribal Committees/Board Policies & Procedures, and to appoint Eric Nelson and Frank K. Koehn to the Mining Task Force. Seconded by Steven Boyd. Motion carried.

Marvin Defoe moved to appoint Jeannie Balber to the Pow-Wow Committee. Seconded by Dennis Soulier. Motion carried.

Marvin Defoe moved to waive the Red Cliff Tribal Committees/Board Policies & Procedures, and to appoint Alex Strachota and Doris C. Jensen to the Friend of the Dirt Committee. Seconded by Jeanne Gordon. Motion carried.

Dennis Soulier moved to approve the Funeral Donation Policy. Seconded by Bryan Bainbridge. Motion carried.

Laura J. Gordon moved to Ratify Council poll pertaining to Funeral donation for Gale Pratt. Seconded by Marvin Defoe. Motion carried.

Jeanne Gordon moved to Ratify Council poll pertaining to waive policies for the Senior Accountant and the CFO as and LTE. (1 abstention: Dennis Soulier). Seconded by Mike Gurnoe. Motion carried.

Jeanne Gordon moved to go into Executive Session. Seconded by Marvin Defoe. Motion carried.

Dennis Soulier moved to return back to Regular Session. Seconded by Steven Boyd. Motion carried.

Marvin Defoe moved to hire Natalia Gordon for the Property and Procurement Specialist with no alternates. Seconded by Bryan Bainbridge. (2 abstentions: Dennis Soulier and Laura J. Gordon). Motion carried.

Steven Boyd verbally resigned from the Red Cliff Housing Board as the Chairman.

Bryan Bainbridge moved to accept the verbal resignation from Steven Boyd as the Red Cliff Housing Board Chairman. Seconded by Jeanne Gordon. Discussion: Chi-Miigwetch to Steven for his three (3) years of service on the Housing Board, and was stated that his resignation is due to his employment with the Housing. Motion carried.

ADJOURN

Jeanne Gordon moved to adjourn. Seconded by Laura J. Gordon. Motion carried.

Adjourned: 8:52 p.m.

Respectfully Submitted:



Alana Babineau
Recording Secretary

ATTEST:



Laura J. Gordon, Secretary
Red Cliff Tribal Council